

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STEVEN W. SAMPSON, TRUSTEE,

Plaintiff,

-against-

JAMES D. ROBINSON III, LEWIS B. CAMPBELL,
JAMES M. CORNELIUS, LAURIE H. GLIMCHER,
M.D., VICKI L. SATO, PH.D., LEIF JOHANSSON,
LOUIS J. FREEH, MICHAEL GROBSTEIN, and
R. SANDERS WILLIAMS, M.D.,

Defendants,

and

BRISTOL-MYERS SQUIBB COMPANY,

Nominal Defendant.
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07 Civ. 6890 (PAC)

**FILED
ELECTRONICALLY**

NOTICE OF MOTION

PLEASE TAKE NOTICE that Nominal Defendant Bristol-Myers Squibb Company (“BMS” or the “Company”) and the members of the BMS Board of Directors named as defendants herein (the “Director Defendants”), by their respective attorneys Debevoise & Plimpton LLP and Latham & Watkins LLP, upon all prior pleadings in this case and upon the accompanying Memorandum of Law of Bristol-Myers Squibb Company and the Director Defendants in Support of Motion to Dismiss, and the Declaration of Lorin L. Reisner in Support of Motion to Dismiss, along with the exhibits attached thereto, hereby move, pursuant to Rule 12(b)(6) and Rule 23.1 of the Federal

Rules of Civil Procedure to dismiss the Amended Verified Shareholder Derivative Complaint.

This motion is filed in accordance with the Scheduling Order entered by the Court dated October 9, 2007.

Dated: New York, New York
November 12, 2007

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